

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Claims 1-10 are pending in the current application. Applicant respectfully submits that the pending claims define patentable subject matter.

Status of the Application

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over previously cited Doi et al. (U.S. Patent Application Publication No. 2001/0014911, hereafter “Doi”) in view of newly cited Vishik (U.S. Patent Application Publication No. 2004/0002897).

Preliminary Matters

Applicant thanks the Examiner for withdrawing the §102(b) anticipation rejection of claims 1-10 over Doi.

Applicant further thanks the Examiner for acknowledging that the drawings filed March 19, 2004 are accepted.

§103 (a) Rejection

Independent claim 1 is directed to a “telecommunication method for a wireless network.” Claim 1 requires, in part, “detecting whether a wireless mobile telecommunication device fulfills a location condition...” and “assigning a temporary identifier to the wireless mobile telecommunication device by the location server if it is detected that the wireless mobile telecommunication device fulfills a location condition...” Independent claims 4-6, 8 and 10 similarly recite features regarding detecting whether a wireless mobile telecommunications

device fulfills a location condition and assigning or receiving a temporary identifier of the wireless mobile telecommunication device.

The Examiner cites FIGS. 1 and 3, as well as paragraphs 0041, 0046, 0050, 0053 and 0055, of Doi for allegedly disclosing many of the aspects of the claimed invention. However, the Examiner acknowledges that Doi fails to disclose assigning a temporary identifier to the wireless mobile device by the location server if it is detected that the wireless mobile telecommunication device fulfills a location. The Examiner further asserts that Vishik teaches a store server assigns an identification number to a mobile device when the mobile device registers and upon entry in a location of a store so that in store promotions can be sent to the mobile device wherein the mobile station privacy is protected, citing paragraph 0039, lines 1-26. The Examiner associates the identification number in Vishik with the temporary identifier recited in the claims.

Doi discloses a service providing method and system in which a service provider provides a service to the mobile terminal based on the location information provided by the mobile terminal in response to a request made by the mobile terminal. The communication between the service provider and the mobile terminal is carried out by a communication control unit which converts the user identification of the mobile terminal to a temporary identifier.

Vishik, on the other hand, discloses an in-store targeted marketing services for wireless customers in which an identification number is assigned to a customer record in the targeted promotions system. The customer must register a mobile device with the system, and the system then assigns an identification number to the mobile device. The system may then identify customers based on this identification number when they enter the store.

Applicant respectfully submits that the Examiner's reliance on Vishik for disclosing assigning a temporary identifier (ID) to the wireless mobile device is misplaced. Vishik discloses that a store system authenticates a user based on the ID assigned to the wireless device. The identification is not temporary, as alleged by the Examiner. The ID is used to match a customer's preferences with a vendor's offers. If the ID was temporary, this would be impossible, as each customer would be assigned a new ID at each instance of visiting the store. The system would have no way of matching the customer to the vendor in this situation. Therefore, contrary to the Examiner's allegation, Vishik fails to teach that a temporary identifier is assigned to the wireless mobile device, as claimed in claim 1.

Further, the Examiner must provide a valid, objective reason why one of ordinary skill in the art would have been motivated to combine multiple references to produce the claimed invention. In the present Office Action, the Examiner has not provided objective evidence that a motivation to combine the references exists in either reference. Additionally, neither reference mentions assigning a temporary identifier provides privacy to the mobile terminal so that unauthorized advertisement merchants cannot determine the mobile station identity.

Therefore, claim 1, and by extension, claims 4-6, 8 and 10 should be patentable over the applied references.

Claims 2, 3, 7 and 9 should be patentable at least by virtue of their dependency from claims 1, 6 and 8, respectively.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Response under 37 C.F.R. § 1.116
U.S. Application No. 10/803,888

Attorney Docket No. Q80360

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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